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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES REQUIREMENTS**

APPLICANT: Mario Loncar CONFIRMATION NO.: 2543  
SERIAL NO.: 10/714,220 GROUP ART UNIT: 3743  
FILED: November 14, 2003  
TITLE: "DEVICE FOR EXCHANGE OF GAS VOLUME"

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

S I R:

In an Office Action dated April 30, 2004, the Examiner imposed a restriction requirement under 35 U.S.C. §121 between claims 1 and 2, drawn to a tubing system, and claim 3, drawn to an anesthetic system. In response, Applicant herewith elects the invention of claims 1 and 2, without traverse.

The Examiner further stated in the Office Action that if examination of Group II was elected, an election of species requirement then would be imposed. Applicant assumes this was a typographical error, and the Examiner meant to state that an additional election of species requirement would be imposed if the invention of Group I were elected.

Since Applicants have elected Group I above, Applicants herewith elect for examination of claim 2 in response to the election of species requirement, without traverse.



Early consideration of the elected claim on the merits is respectfully requested. If claim 2 is determined to be allowable over the prior art, Applicant submits that claim 1 should be allowable as well, and that the election of species requirement should be withdrawn.

Submitted by,

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 20, 2004.

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